

[AMENDED]

Serial No. 53694

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office... JUL 18 1989

Returned to applicant for correction SEP 08 1989

Corrected application filed SEP 15 1989 Map filed SEP 15 1989 under 28071

The applicant John A. Mugni and Norma R. Mugni

80556 Avenue 58 / P. O. Box 1367 of La Quinta,

Street and No. or P.O. Box No.

City or Town

California 92253

State and Zip Code No.

hereby make... application for permission to change the

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under a portion of Permit No. 28071 -

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Certificate No. 8628

Identify right in Decree.

1. The source of water is underground

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 16.0 A.F.A. - 0.11433 C.F.S.

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point a point within the SE 1/4 of the SE 1/4 of Section 24, T. 22 N., R. 20 E., Describe as being within a 40-acre subdivision of public survey and by course and M.D.M. at a point from which the SE corner of said Section 24 bears distance to a section corner. If on unsurveyed land, it should be stated.

South 07°50'10" East, 1149.50 feet.

6. The existing permitted point of diversion is located within the NE 1/4 of NW 1/4 of Section 5, T. 22 N., R. 21 E., M.D.M. at a point from If point of diversion is not changed, do not answer, which the NE corner of said Section 5 bears North 66°17'59" East,

2969.86 feet (Well No. 2).

7. Proposed place of use SW 1/4 of SE 1/4 and SE 1/4 of SE 1/4 of Section 24,

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

T. 22 N., R. 20 E., M.D.M. - 5.0 acres.

8. Existing place of use NW 1/4 SW 1/4, SE 1/4 NW 1/4, in Section 4, T. 22 N., R. 21 E., M.D.M., Parcels 56 and east 3.99 acres of 57 as tabulated and Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or depicted on that certain map entitled "Exhibit Map Supporting the manner of use of irrigation permit, describe acreage to be removed from irrigation. Conveyance of Water Rights by MCO Properties, Inc. - Palomino Valley, Nevada" dated February 15, 1986 filed with the Nevada State Engineer on February 19, 1986.

9. Use will be from January 1 to December 31 of each year.

Month and Day

Month and Day

10. Use was permitted from January 1 to December 31 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, pump and pipeline.

State manner in which water is to be diverted, i.e. diversion structure,

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$30,000

13. Estimated time required to construct works 5 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

For existing Place of Use and Point of Diversion see Map No. 28071
on file with the Nevada State Engineer.

Compared do/ jv jr/bk

Protested

By s/George G. Lindesmith
George G. Lindesmith
801 Greenbrae Drive
Sparks, Nevada 89431

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 28071, Certificate 8628 is issued subject to the terms and conditions imposed in said Permit 28071, Certificate 8628 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is limited to the irrigation of 3.38 acres within the described place of use.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0965 cubic feet per second, but not to exceed 13.5 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before August 23, 1997

Proof of completion of work shall be filed before September 23, 1997

Application of water to beneficial use shall be made on or before August 23, 2000

Proof of the application of water to beneficial use shall be filed on or before September 23, 2000

Map in support of proof of beneficial use shall be filed on or before September 23, 2000

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 23rd day of August,

A.D. 1995

R. Michael Turnipseed, P.E.
State Engineer

Port 58918 0.02858
Port 63782 0.06788